THE HONOURABLE SRI JUSTICE GODA RAGHURAM

WRIT PETITION NO. 12527 of 1998

06.06.2007

Between :

S.Muralikrishna, Madanapalli,
And others

… Petitioners

And :

The Government of A.P, rep by
its Principal Secretary, Social Welfare,
Hyderabad and others.

… Respondents

THE HONOURABLE SRI JUSTICE GODA RAGHURAM

WRIT PETITION NO. 12527 of 1998

ORAL ORDER :

The writ petition is misconceived. The three petitioners claim to have been initially appointed as Assistant Executive Engineer, Work Inspector, Assistant Executive Engineer, respectively, after a process of selection and their services regularized in the category of Assistant Executive Engineers after declaration of probation. The petitioners plead that in 1992 the 2nd respondent had issued proceedings to terminate the services of the employees of the Scheduled Caste Cooperative Society Ltd. Many of the employees are stated to have approached this court and obtained directions to continue them in service. According to the petitioners they recently learnt that the authorities have taken a decision to dispense with the

services of the petitioners and some of the employees on the ground that their services are no more required. Asserting that as they are eligible, qualified and were duly recruited as Assistant Executive Engineers and therefore cannot be terminated from service, this writ petition is filed.

The basic proposition propounded by the petitioners is misconceived. For want of work or on abolition of posts even permanent employees could be removed from service. Termination in such contingencies is not excluded on the ground of regularity of appointment. In any event there is no overt action by the respondents to terminate the services of the petitioners. The petitioners assail no order of the respondent-Society which proposes/orders termination of service. The writ petition is instituted on mere apprehension. Mere apprehension cannot be a legitimate basis for grant of Mandamus.

There are no merits in the writ petition, which is accordingly dismissed. No order as to costs.

Dt: 06.06.2007 ----------

Pvsn/Tsnr Justice G.Raghuram